

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Michael Dick,

Debtor.
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Chapter 13

Case No. 17-23265-shl

**RESPONSE OF DEBTOR
TO TRUSTEE'S MOTION TO DISMISS**

Siegel & Siegel, P.C., counsel to Debtor Michael Dick, hereby responds to the Trustee's Motion to Dismiss, now returnable on June 12, 2019, as follows:

1. I am counsel to Michael Dick. I was just retained as new counsel in this case after his initial counsel was granted leave to withdraw. I have filed my appearance and attorney disclosure. I make this affirmation to respond to the trustee's motion to dismiss this case, after speaking to the trustee's office.

2. I have reviewed with my client the limited benefit of this case in light of the bank holding the mortgage on his residence being granted stay relief. I have also reviewed the lack of any benefit of pursuing a conversion to Chapter 7, in light of the de minimus unsecured debt. I have also reviewed the cost and obligations of trying to oppose the motion and continuing with a viable Chapter 13 case and plan.

3. After consultation with my client, we wish that the trustee's motion to dismiss this case be granted. Therefore, we consent to the relief requested by the Chapter 13 Standing Trustee. To conserve limited resources, and save funds for dealing with the foreclosure in State court, we do not intend to appear on June 12. The trustee was fine with no appearance by the

Debtor, and stated that she would convey our consent to the Court.

Dated: New York, New York
May 31, 2019

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By: /s/Michael D. Siegel
Michael D. Siegel